

## City of Broken Arrow

### Minutes City Council Meeting

City Hall  
220 S 1st Street  
Broken Arrow OK  
74012

*Mayor Debra Wimpee  
Vice Mayor Christi Gillespie  
Council Member Johnnie Parks  
Council Member Lisa Ford  
Council Member Justin Green*

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Monday, July 31, 2023

Time 6:30 p.m.

Council Chambers

**1. Call to Order**

Mayor Debra Wimpee called the meeting to order at approximately 6:30 p.m.

**2. Invocation**

Ms. Katrina Palan performed the invocation.

**3. Roll Call**

**Present:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

**4. Pledge of Allegiance to the Flag**

Council Member Lisa Ford led the Pledge of Allegiance to the Flag.

**5. Consideration of Consent Agenda**

Mayor Wimpee asked if there were any Items to be removed from the Consent Agenda; there were none.

**MOTION:** A motion was made by Christi Gillespie, seconded by Johnnie Parks.

**Move to approve the Consent Agenda**

The motion carried by the following vote:

**Aye: 5 -** Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

- A. 23-46** Approval of the Special City Council Meeting Minutes of July 17, 2023
- B. 23-1001** Acceptance Planning Commission meeting minutes of June 22, 2023
- C. 23-1022** Approval of and authorization to execute Budget Amendment Number 37 for Fiscal Year 2023
- D. 23-1000** Approval of and authorization to execute Budget Amendment Numbers 3 and 4 for Fiscal Year 2024
- E. 23-833** Approval of and authorization to declare two pallets of dated and used bunker gear pants and coats as surplus and authorize the donation of those items to the City of Coweta Fire Department
- F. 23-1021** Approval of and authorization to execute a Use Agreement and Services Contract between the City of Broken Arrow and the Broken Arrow Seniors, Inc.
- G. 23-986** Approval of and authorization to execute an amendment to the Benefit Services Management Agreement with HealthComp Holding Company, LLC and its subsidiaries HealthComp Integrated Solutions, LLC and Gilsbar, LLC
- H. 23-959** Approval of and authorization to execute a Project Agreement between Oklahoma Department Of Transportation (ODOT) and City of Broken Arrow for construction of the Pedestrian/Bike/Trail Improvements Project TAP3-8101(004)IG, J/P 38101(04) (Project No. ST23330)
- I. 23-1019** Approval of and authorization to execute a First Amendment to Ground Lease between the City of Broken Arrow, the Broken Arrow Economic Development Authority and Stoney Creek Investors of Broken Arrow, LLC, successor in interest to Stoney Creek Hospitality Corporation, an Iowa Corporation, for the purpose of correcting the legal description of the Conference/Convention Center
- J. 23-1004** Approval of and authorization to execute an agreement with Trane to replace four (4) package rooftop units with heat recovery wheels and two (2) package rooftop units without heat recovery wheels at the Broken Arrow Animal Shelter
- K. 23-967** Approval of and authorization to fund the third year of the Microsoft Enterprise Agreement for Microsoft software, products, and licenses through SHI
- L. 23-933** Award the most advantageous bid to Stryker Medical, for the purchase of three (3) LifePak 15 Cardiac monitors, pursuant to Oklahoma Statewide Contract, and authorization to surplus and trade-in for a credit three (3) Lifepak 15 monitors for the Fire Department
- M. 23-1007** Award the most advantageous quote to Premier Truck Group of Tulsa for the purchase of three (3) 2024 Western Star 49-X Series Chassis with Dump Body Trucks equipped with snowplows and spreaders for the Streets and Stormwater Department pursuant to

N. 23-995 the Oklahoma statewide vehicle contract  
Approval of PT-000841-2023 | PR-000140-2022, Conditional Final Plat, Blue Bell XL, 28.56 acres, 1 lot, PUD-67C/IL, located south of Houston Street (81st Street), east of State Highway 51

O. 23-996 Approval of PT-000828-2023 | PR-000199-2023, Conditional Final Plat, Regent Corner, 5 acres, 2 proposed lots, CH/PUD-156, located south of the southwest corner of West Albany Street (61st Street) and North Elm Place (161st East Avenue)

P. 23-997 Approval of PT-000843-2023 | PR-000286-2023, Conditional Final Plat, 8800 at Indian Springs, 2 lots, 6.44 acres, R-2 (Single Family Residential) to ON (Office Neighborhood)/PUD-285 (Planned Unit Development) via BAZ-2018, one-half mile south of Jasper Street (131st Street), one-quarter mile east of Aspen Avenue (145th E. Avenue)

Q. 23-990 Acceptance of an Access Easement from Eagle-1 Investments, LLC, on property located one-eighth mile north of Washington Street (91st Street), one-third mile west of 23rd Street (County Line Road), Tulsa County, State of Oklahoma, (Section 13, T18N, R14E) (EASE-000942-2023)

R. 23-991 Acceptance of an Access Easement from Eagle-1 Investments, LLC, on property located one-eighth mile north of Washington Street (91st Street), one-quarter mile west of 23rd Street (County Line Road), Tulsa County, State of Oklahoma, (Section 13, T18N, R14E) (EASE-000943-2023)

S. 23-989 Acceptance of a Utility Easement from Eagle-1 Investments, LLC, on property located one-eighth mile north of Washington Street (91st Street), one-quarter mile west of 23rd Street (County Line Road), Tulsa County, State of Oklahoma, (Section 13, T18N, R14E) (EASE-000941-2023)

T. 23-988 Acceptance of a Utility Easement from Eagle-1 Investments, LLC, on property located one-eighth mile north of Washington Street (91st Street), one-quarter mile west of 23rd Street (County Line Road), Tulsa County, State of Oklahoma, (Section 13, T18N, R14E) (EASE-000940-2023)

U. 23-1002 Acceptance of a Drainage Easement from The Greens at Broken Arrow, Phase II, a Limited Partnership, on property located approximately one-quarter mile west of 23rd Street (Countyline Road) and south of Omaha Street (51st Street), Tulsa County, State of Oklahoma, (Section 36, T19N, R14E)(EASE-000897-2023)

V. 23-1003 Acceptance of a Waterline Easement from The Greens at Broken Arrow, Phase II, a Limited Partnership, on property located approximately one-quarter mile west of 23rd Street (Countyline Road) and south of Omaha Street (51st Street), Tulsa County, State of Oklahoma, (Section 36, T19N, R14E)(EASE-000896-2023)

W. 23-796 Acceptance of a Right-of-Way Dedication from The Robson Companies, INC, on property located east of 79th Street (Midway Road/S. 257th E. Avenue), one-half mile south of Kenosha Street (71st Street), Section 11, T18N, R15E (EASE-000846-2023)

X. 23-797 Acceptance of a Right-of-Way Dedication from The Robson Companies, INC, on property located east of 79th Street (Midway Road/S. 257th E. Avenue), one-half mile south of Kenosha Street (71st Street), Section 11, T18N, R15E (EASE-000847-2023)

Y. 23-974 Ratification of the Claims List Check Register Dated July 24, 2023

Council Member Green thanked Mayor Wimpee for the amendment to the Senior Citizen Center Agreement. He stated there were a number of items the Council requested that were a part of the recommendations which the committee put forward and the Council accepted. He said now the focus would be on programming. He added the Center would be working to make a better experience for the seniors within the community.

## 6. Consideration of Items Removed from Consent Agenda

There were no Items removed from the Consent Agenda; no action was taken or required.

## 7. Public Hearings, Appeals, Presentations, Recognitions, Awards

A. 23-880 Consideration, discussion and possible direction regarding Chapter 2 of the City of Broken Arrow Ordinances, Article IX-Employee Rules and Regulations, Section 2-146 Employment Requirements

City Manager Spurgeon stated a few months ago the City Council had a discussion regarding the current nepotism policy in the code. As a result of this discussion, the Administration was asked to revisit the current policy and to make recommendations. Mr. Spurgeon said he asked the HR Director for assistance in establishing a committee to look at the recommendations, and a survey was conducted which offered the opportunity for employees to give feedback. He asked Human Resources Director Kelly Cox to report on the results of the survey and the recommendations.

Director Kelly Cox reported a survey was sent to all employees and 308 responded, which was about 30 percent of the population. She explained there were nine questions, and each required an explanation for the answer. She informed the Council that 88.64 percent of the employees agreed with the current definition of immediate family, which was provided in the survey, 81.82 percent agreed with the current Employment Requirements Ordinance, 53.9 percent had concerns about a supervisor having a family member work within their same department, 40.58 percent had a concern about married couples working in the same

department, 59.7 percent had concerns about a director having a family member work within their department, 23.38 percent had concerns about HR personnel having family members work in the city, and 17.86 percent had an issue with Finance Department employees having personnel work within the city.

She continued that the committee met numerous times and decided in concert with the survey's response to redefine "immediate family" to include employee spouse, which would include common law domestic partnership, as well as parent (including father-in-law and mother-in-law), brother-in-law, brother, sister, sister-in-law, son-in-law, daughter-in-law, grandparents of the employees' spouse, son, daughter, and grandchildren or foster or step situations. She added the committee wanted to include language for the prohibition of immediate family members of the City Manager, an elected official of the City, Department of Human Resources, Legal, the City Manager's Office, Information Technology, Division of Payroll, or the Department of Finance. In addition, she reported a director or department head may not hire an immediate family member in their department or in a division under their control. She added if an employee was at a higher grade of employment than a relative of an employee, then the employee at a higher grade would not be in direct supervision of their relative. She continued there would be a distinct separation of duties of each related employee with the higher-grade employee not participating in any way in an evaluation or promotion or disciplinary process of their relative.

City Manager Spurgeon stated the request was for the code to be changed and he called for questions.

Council Member Ford stated this issue was brought to her attention by city employees with concerns. She expressed the survey results showed that almost 60 percent of employees were not comfortable with a department head employing a relative. She asked the committee to consider adding a provision for current employees who were related and wanted to stay in their current position. She said these employees should not be grandfathered in or transferred within their departments if their department head was related to them.

City Manager Spurgeon stated the committee could revisit the situation.

Council Member Ford clarified that she was not requesting for any current employees to be fired. She reiterated the current position of the employee should remain, but transferring to a different job or a promotion in the same department should not be allowed. She said no one should be fired.

Vice Mayor Gillespie stated most issues would be within Public Safety where when an individual was promoted, said individual could become a supervisor to different employees.

A discussion ensued of this issue, and City Manager Spurgeon clarified that if you were a relative of the chief or boss, you could continue to work at your current job, but you could not be promoted.

Council Member Ford said her issue was with department heads, and the survey illustrated that employees did not want department heads to hire family members.

Vice Mayor Gillespie said she was in agreement with Council Member Ford until she talked to her family members and discovered she was the only member of her family who did not work with a relative. She added service in Public Safety seemed to involve family members serving together.

Council Member Green asked if they would be creating two sets of rules.

Vice Mayor Gillespie said that was what was in place right now.

Council Member Green stated this change would hinder the legacy aspect of some careers referring to firefighters and police. He added nepotism was an ultimate exercise in trust that people would do what was right.

Mayor Wimpee explained what was in place now was a separate way for an individual to not have access to the relative's information and any discipline would be handled by herself. She continued that this was a concern of some employees.

Council Member Green asked if having an individual not in law enforcement examining a situation in law enforcement would work. He added people not in law enforcement saw things differently.

Mr. Stephens stated ultimately, he would handle that situation and he had 27 years' experience in law enforcement.

Vice Mayor Gillespie pointed out it was difficult to find people who wanted to serve in Public Safety and to limit employment of family members would make it more difficult. She added there was something special about legacy in Public Safety, and it deserved to be preserved.

Council Member Parks agreed there were many families historically who served together. He said he would hate to see that severed. He said he did not want to discourage that practice. He said if there was an issue, if the Chief or Director could be excluded in the decision making, that could work. He added there had been many families who had made great community contributions.

City Manager Spurgeon summarized there were three options: one, to ask staff to look further at the issue; two, accept the recommendations or a portion of them; or three, accept the recommendations including some language Council Member Ford was seeking.

Council Member Ford said she wanted to make sure employees knew the City Council was listening to them. She added if the City Council did not continue to work on the issue, these employees would be discouraged.

Vice Mayor Gillespie pointed out it sounded like there was a different process for discipline for an employee whose family member was a director; the process would be through Human Resources. She confirmed that FOP would not have a problem with their officers coming to HR if there was a line of duty shooting instead of IA. She added this was the concern.

Director Cox said she believed that situation was addressed in their AOPs. She stated the Chief could assign an investigator.

Council Member Ford asked what would happen in a shooting situation investigation.

City Manager Spurgeon stated if there was no restriction on promotion or transfer, he would talk to the union president who would be sure the officer was represented. He indicated he would make sure it was clear if there was an incident, a clear path to proceed was available.

Council Member Ford recommended the Council have a discussion with the FOP on what would happen in such a scenario.

Vice Mayor Gillespie added if there was a shooting, whoever normally did the investigation in the police department would do it. She added she trusted them to do this correctly. She said her question was how to proceed if there was a bad shooting because it would require discipline.

Councilman Parks suggested that maybe an outside investigation would be needed.

Mr. Stephens added a shooting investigation involving the Chief's son would be investigated through the normal channels. He stated when it got to the level of making a decision involving his son, the Chief would not be the one making the decision. He explained the investigation would go through the City Manager and himself in whatever direction was decided. He pointed out HR was not qualified to do this type of investigation; HR would do investigations for civilian employees.

Council Member Ford said the concern of the employees who came to her was what would happen, and she did not have an answer. She stated when she asked the question, the answer she received was the family member would be going through HR.

City Manager Spurgeon emphasized that no director's child or family member would get special consideration. He said all would need to trust him and his integrity to make sure there was no favoritism. He pointed out he had not shown favoritism in eight years.

Mayor Wimpee asked Council Member Ford if she wanted to have further discussion with someone on the FOP.

Council Member Ford replied yes and asked if there had been someone from FOP on the committee.

City Manager Spurgeon responded in the negative, the committee was made up of directors. He said he would do his best to address the concerns and come back with recommendations; he was unsure when this would be.

Council Member Ford asked how many of the survey respondents came from the police department.

Director Cox responded the surveys had been anonymous.

Mayor Wimpee pointed out that almost 82 percent agreed with the current employment requirement ordinance.

Council Member Ford said the issues were with the department heads; these individuals' only concern was for department heads and their relatives.

Vice Mayor Gillespie pointed out individuals could become department heads; any employee could move up.

Council Member Parks asked if Public Safety was being separated from other departments. He pointed out the ordinance would be for all directors and any employees because there were many employees who followed in their parents' footsteps and made great employees.

Council Member Ford said she was just speaking on behalf of the employees which came to her concerned about morale.

City Manager Spurgeon asked the Council if they would like to act on the current recommendations or wait. He added he had noted some items on which he needed to follow up based on comments made.

Council Member Ford asked if a vote would be a good idea.

Mayor Wimpee said the Council could vote on what had been presented or table the item until there was more information.

Council Member Ford asked what would happen if the Council voted no to the changes.

City Manager Spurgeon said a vote would give clarity going forward with the understanding they would come back and look at this issue.

**MOTION:** A motion was made by Christi Gillespie, seconded by Lisa Ford.

**Move to approve the language as written**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

## **8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services**

**(No action may be taken on matters under this item)**

Mayor Wimpee indicated no Citizens signed up to speak.

## **9. General Council Business**

### **A. 23-960 Consideration, discussion, and possible direction to the Administration relative to nominating a City Councilor, or an appointed designee, to the Broken Arrow Genealogical Society Board**

Ms. Lori Hill stated there was an opportunity for a City Councilor to serve on the Genealogical Society Board.

Council Member Parks affirmed this organization met in the History Museum.

Ms. Hill stated the meetings were in the evenings and quarterly.

Council Member Green said he would be happy to serve on this Board.

**MOTION:** A motion was made by Christi Gillespie, seconded by Johnnie Parks.

**Move to appoint Council Member Green to serve on the Broken Arrow Genealogical Society Board**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

### **B. 23-961 Consideration, discussion, and possible appointment of a Council member to co-sponsor the Youth City Council**

Ms. Lori Hill stated the Youth City Council would be starting soon; applications were available for sophomores. She said the volunteer would be serving alongside Council Member Parks and would go on trips and attend meetings.

Council Members were very complimentary about the good job Council Member Parks had done in this position.

Council Member Parks stated it was convenient to have two members as sponsors, so if one could not make it, the other would be there. He said Lori Hill was definitely in charge and his role was to support her.

Ms. Hill invited Council Member Green to volunteer. She commented he would be a good fit.

Council Member Green said he would be happy to step into this role.

**MOTION:** A motion was made by Johnnie Parks, seconded by Lisa Ford.

**Move to appoint Council Member Green to co-sponsor the Youth City Council**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

**C. 23-987 Consideration, discussion, and possible approval of the Master Plan for the new Central Park Rose Garden and approval to execute Amendment No. 1 to Agreement for Professional Consulting Services with R. L. Shears Company, P.C. (Project Number 2360450)**

Mr. Charlie Bright reported in 2018 when the citizens passed the General Obligations Bond, part of the bond was an unnamed project for a rose garden in Central Park for \$500,000 dollars; in October, a contract was made with RL Shears to work on a conceptual design of the park and a master plan.

Mr. Bright projected and explained a map of the area for the City Council. He stated his department had worked for the past several months on the plan and had worked with Keep Broken Arrow Beautiful which supported the plan.

City Manager Spurgeon commented he had been working with Beverly and Sharon, and he was happy to recommend this to City Council Members. He said he would be adding this to the sale of the bonds for this year, so Phase 1 could be started which would enable the search for fundraising opportunities to help with the future stages of the project.

**MOTION:** A motion was made by Christi Gillespie, seconded by Lisa Ford.

**Move to approve the Master Plan for the new Central Park Rose Garden and approve execution of Amendment No. 1 to Agreement for Professional Consulting Services with R. L. Shears Company, P.C. (Project Number 2360450)**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

**D. 23-992 Consideration, discussion and possible approval of and authorization to execute Resolution No. 1542 authorizing the City Attorney to enter into a Final Journal Entry of Judgment in Vastly, L.P. vs. the City of Broken Arrow et. al., Tulsa County District Court, Case Number: CV-2023-1126, authorizing foreclosure of a Temporary Storm Sewer Easement situated on property located one-quarter mile north of Florence Street (111th East Avenue), East of Olive Avenue (129th East Avenue), Tulsa County, State of Oklahoma (Section 28, T18N, R14E)**

City Attorney Trevor Dennis stated the city had a storm water easement located a quarter mile north of Florence Street and east of Olive Avenue which was no longer needed. He noted in April, the City Council approved the closing of the easement. He said now the property owner impacted by this decision filed a lawsuit to vacate it, which meant it would be removed since it was no longer necessary. He recommended City Council authorize entering into the Journal Entry of Judgement which allowed vacating the easement.

**MOTION:** A motion was made by Christi Gillespie, seconded by Lisa Ford.

**Move to approve and authorize execution of Resolution No. 1542**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

**E. 23-993 Consideration, discussion and possible appointment of one City Council member to the Subdivision Regulation Update Committee**

Mr. Kevin Maevers said this item was being brought back after two weeks for discussion by the City Council. He noted the committee would meet 4 to 6 times over the next six months. He said subdivision regulations were one of the many items being updated.

Vice Mayor Gillespie indicated an interest.

**MOTION:** A motion was made by Johnnie Parks, seconded by Lisa Ford.

**Move to appoint Vice Mayor Gillespie to serve on the Subdivision Regulation Update Committee**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

## 10. Preview Ordinances

There were no Preview Ordinances.

## 11. Ordinances

**A. 23-998 Consideration, discussion and possible adoption of Ordinance No. 3795 amending Section 5.2.B.4.a (Approved Tree List) of the City of Broken Arrow Zoning Ordinance; repealing all ordinances or parts of ordinances in conflict herewith; and declaring an emergency**

Mr. Kevin Maevers said this item was being brought back after two weeks for discussion by the City Council and consideration of the emergency clause. He stated this was an update to the approved tree list.

**MOTION:** A motion was made by Christi Gillespie, seconded by Johnnie Parks.

**Move to adopt Ordinance No. 3795**

The motion carried by the following vote:

**Aye: 5 -** Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

**B. 23-1010 Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3795**

**MOTION:** A motion was made by Johnnie Parks, seconded by Lisa Ford.

**Move for the emergency clause**

The motion carried by the following vote:

**Aye: 5 -** Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

**C. 23-930 Consideration, discussion, and possible adoption of Ordinance No. 3797, closing a utility easement from Atul Sood, on property located approximately one-half mile north of Dearborn Street (41st Street), one-half mile west of 37th Street (209th East Avenue) at 20105 E 36th Place, Wagoner County, State of Oklahoma, (Section 19, T19N, R15E); repealing all ordinances to the contrary; and declaring an emergency (EASE-000876-2023)**

Mr. Kevin Maevers stated this was a simple vacation of an easement for utility purposes, a 17.5 feet wide easement on a property owned by Mr. Atul Sood. He added there were no existing utilities; it was requested the property be returned to the owner.

**MOTION:** A motion was made by Johnnie Parks, seconded by Christi Gillespie.

**Move to adopt Ordinance No. 3797**

The motion carried by the following vote:

**Aye: 5 -** Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

**D. 23-931 Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3797**

**MOTION:** A motion was made by Christi Gillespie seconded by Lisa Ford.

**Move for the emergency clause**

The motion carried by the following vote:

**Aye: 5 -** Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

## **12. Remarks and Inquiries by Governing Body Members**

Mayor Wimpee reminded everyone Saturday was the new date for Taste of Summer. She invited everyone to come out and eat ice cream and indicated she would be in the dunk tank at 10:30 a.m. She added there would be a Back to School Bash which would be taking place on Saturday also. She reported the VFW was going to be playing Taps the first Monday of each Month at 10:00 am in Veterans Park.

Council Member Ford said she wanted to brag on the Parks Department who responded quickly to her reports of issues at Jackson Park. She advised citizens to use the website app for reports.

A general discussion ensued about the high quality of parks in Broken Arrow.

Vice Mayor Gillespie read the Preamble to the Constitution.

Council Member Green added the Police Department was collecting school supplies for one more week at the Public Safety complex.

## **13. Remarks and Updates by City Manager, including Recognition of Recent Accomplishments by Employees and Elected Officials**

City Manager Spurgeon thanked members of the COBA U class in the audience for attending the meeting. He thanked State Representative Ross Ford for his assistance with ODAT. He also reported the city was at 70 percent on water usage, which was good for this time of year. He stated if the usage reached 80 percent, then he would be concerned.

At approximately 7:25 p.m. Mayor Wimpee noted there was an Executive Session and called for a recess for BAMA and BAEDA.

MOTION: A motion was made by Christi Gillespie, seconded by Johnnie Parks.

**Move for a recess for BAMA and BAEDA**

The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

At approximately 7:52 p.m. the City Council meeting was reconvened by Mayor Wimpee who called for a motion.

MOTION: A motion was made by Lisa Ford, seconded by Justin Green.

**Move to clear the room for Executive Session**

The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

MOTION: A motion was made by Johnnie Parks, seconded by Justin Green.

**Move to enter into Executive Session**

The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

#### 14. Executive Session

**Executive Session for the purpose of confidential communications between the City Council, the City Manager, the City Attorney and any other pertinent staff members discussing, conferring on matters and possible action in open session pertaining to:**

**An eminent domain litigation proceeding, asserted by the City of Broken Arrow against Northstar Cemetery Services of Oklahoma, et. al., Tulsa County Case CJ-2022-3939, and taking appropriate action in open session, under 25 O.S. §307(B)(4)**

**In the opinion of the City Attorney, the Council is advised that the Executive Session is necessary to process the pending litigation and disclosure will seriously impair the ability of the public body to process the litigation in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote**

MOTION: A motion was made by Christi Gillespie, seconded by Johnnie Parks.

**Move to find the executive session necessary**

The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

MOTION: A motion was made by Christi Gillespie seconded by Johnnie Parks.

**Move to authorize the City Attorney to dismiss without prejudice case number CJ-2002-3939 City of Broken Arrow v Northstar Cemetery**

The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

#### 15. Adjournment

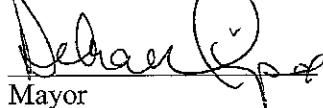
The meeting was adjourned at approximately 8:09 p.m.

MOTION: A motion was made by Christi Gillespie, seconded by Lisa Ford.

**Move to adjourn**

The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee



Mayor



City Clerk

